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REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES**

(covering its work during 1995)

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CHAPTER IX

EAST TIMOR, GIBRALTAR, NEW CALEDONIA, WESTERN SAHARA

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* A/50/150.

** This document contains chapter IX of the Special Committee's report to the General Assembly. The general introductory chapter will be issued under the symbol A/50/23 (Part I). Other chapters of the report will be issued under the symbol A/50/23 (Parts II-IV and VI-VII). The complete report will be issued subsequently as Official Records of the General Assembly, Fiftieth Session, Supplement No. 23 (A/50/23).

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CHAPTER IX

EAST TIMOR, GIBRALTAR, NEW CALEDONIA, WESTERN SAHARA

A. INTRODUCTION

1. At its 1441st meeting, on 27 February 1995, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1828), the Special Committee decided, inter alia, to take up the questions of East Timor, Gibraltar, New Caledonia and Western Sahara as separate items and to consider them at its plenary meetings.

2. The present chapter contains an account of the consideration by the Special Committee of the above-mentioned Territories (sect. B). It also sets forth the recommendation on the question of New Caledonia to the General Assembly at its fiftieth session (sect. C).

3. In its consideration of the questions, the Special Committee took into account General Assembly resolutions 49/89 and 49/90 of 16 December 1994 and decisions 49/402 of 23 September 1994 and 49/420 of 9 December 1994 related to the questions, as well as other relevant resolutions and decisions.

4. In its capacity as the administering Power concerned and in accordance with established procedures, the delegation of Portugal participated in the work of the Special Committee in relation to East Timor.

B. CONSIDERATION BY AND DECISIONS OF THE SPECIAL COMMITTEE

1. East Timor

5. The Special Committee considered the question of East Timor at its 1442nd to 1446th meetings, between 10 and 13 July 1995.

6. During its consideration of the question, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2026).

7. At its 1442nd to 1444th meetings on 10 and 11 July (A/AC.109/PV.1442-1444) the Special Committee granted the requests for hearing from the following petitioners and heard their statements at the meetings indicated below:

Petitioner	Meetings
Mr. Zacharias da Costa, on behalf of Timorese Democratic Union/ União Democrática Timorense	1443rd
Mr. David Webster, on behalf of East Timor Alert Network	1443rd
Mr. Kan Akatani, on behalf of Free East Timor Japan Coalition	1443rd
Mr. Azancot de Menezes, Associação de Defesa dos Timorenses	1443rd
Mr. Warren Allmand, on behalf of Parliamentarians for East Timor	1443rd

Petitioner	Meetings
Mr. Max B. Surjadinata, on behalf of East Timor Religious Outreach	1444th
Mr. Michael Ede, on behalf of Australian Coalition for a Free East Timor	1444th
Mr. Vince Comisky, on behalf of Catholic Institute for International Relations	1444th
Mr. Andrew Clapham, on behalf of Amnesty International	1444th
Ms. Jennifer Washburn, on behalf of Agir pour Timor	1444th
Ms. Julie Carran, on behalf of British Coalition for East Timor	1444th
Mr. Richard Koch, on behalf of the East Timor Ireland Solidarity Campaign	1444th
Mr. Simon de Faux, on behalf of Auxilium College (Australia)	1444th
Mr. Charles Scheiner, The East Timor Action Network/United States	1444th
Ms. Jill Sternberg, on behalf of Coordinamento Italiano dei gruppi di solidarietá con il popolo timorese	1444th
Ms. Vanessa Ramos, on behalf of International Platform of Jurists for East Timor and American Association of Jurists	1444th
Mr. Alyn Ware, on behalf of East Timor Independence Committee	1444th
Mr. Thomas Mahedy, on behalf of Pax Christi International	1444th
Mr. Luis Manuel Costa Geraldes, Member of Parliament/Social Democratic Party, Portugal	1445th
Mr. Manuel Tomás Rodriguez Queirō, Member of Parliament/Social Democratic Popular Party, Portugal	1445th
Mr. Miguel Urbano Tavares Rodriguez, Member of Parliament/Communist Party, Portugal	1445th
Mr. Luis Filipe Dias Amado, Member of Parliament/Socialist Party, Portugal	1445th
Mr. Domingos M. Das Dores Soares, Regent of Dili, East Timor	1445th
Mr. Jose Matins III, President, East Timor KOTA Party	1445th
Mr. Peter Colavito, on behalf of Congresswoman Nita M. Lowey	1445th
Mr. Mari Alkatiri, on behalf of FRETILIN	1445th
Mr. Allan Nairn, on behalf of The Nation	1445th
Ms. Sharon Scharfe, on behalf of Asia Pacific Coalition for East Timor	1445th

Petitioner	Meetings
Mr. John Miller, on behalf of Hobart East Timor Committee and the Australia-East Timor Association	1445th
Mr. Constancio Pinto, National Council of Maubere Resistance	1445th
Mr. Richard Panganiban, Pacific Concerns Resource Centre, Inc.	1445th
Ms. Jeannine Guthrie, on behalf of Human Rights Watch/Asia	1445th
Mr. Ben Wainfield, on behalf of TAPOL/The Indonesian Human Rights Campaign	

8. At the 1442nd meeting, on 10 July, the Acting Chairman informed the Special Committee that the delegation of Sao Tome and Principe had expressed the wish to participate in the Committee's consideration of the item. The Committee decided to accede to the request.

9. At the 1446th meeting, on 13 July, statements were made by the representatives of Sao Tome and Principe, on behalf also of Angola, Cape Verde, Guinea-Bissau, Mozambique, Portugal, Papua New Guinea and Indonesia (A/AC.109/PV.1446). The representatives of Portugal and Indonesia made further statements (A/AC.109/PV.1446).

Decision of the Special Committee

10. At its 1446th meeting, on 13 July, on the proposal of the Acting Chairman, the Special Committee decided to continue consideration of the question at its next session, subject to any directives that the General Assembly might give in that connection at its fiftieth session, it being understood that the objection made by the representative of Indonesia would be reflected in the record of the meeting.

2. Gibraltar

11. The Special Committee considered the question of Gibraltar at its 1442nd and 1443rd meetings, on 10 and 11 July 1995.

12. During its consideration of the question, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2025).

13. At its 1442nd meeting, on 10 July, the Special Committee granted a request for hearing to Ms. Christine Thorsell, International Federation of Liberal and Radical Youth. Ms. Thorsell made a statement at the 1443rd meeting (A/AC.109/PV.1443).

14. At the 1443rd meeting on 11 July, the Acting Chairman informed the Special Committee that the delegation of Spain had expressed the wish to participate in the Committee's consideration of the question. The Committee decided to accede to the request.

15. At the same meeting, with the Committee's consent, Mr. Joe Bossano, Chief Minister of Gibraltar, made a statement (A/AC.109/PV.1443). The representative of Spain made a statement (A/AC.109/PV.1443).

Decision of the Special Committee

16. At its 1443rd meeting, on 11 July 1995, the Special Committee decided, without objection, to continue its consideration of the question at its next session, subject to any directives that the General Assembly might give in that connection at its fiftieth session and, in order to facilitate consideration of the question by the Special Political and Decolonization Committee (Fourth Committee), to transmit the relevant documentation to the Assembly.

3. New Caledonia

17. The Special Committee considered the question at its 1442nd, 1445th and 1447th meetings, between 10 and 13 July 1995.

18. During its consideration of the question, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2028).

19. At its 1442nd meeting, on 10 July, the Special Committee granted a request for hearing to Mr. Yann Céléné Uregei of the Congrès populaire. At the 1445th meeting, on 12 July, Mr. Uregei made a statement (see A/AC.109/PV.1445).

20. At the 1447th meeting, on 13 July, the Acting Chairman drew attention to a draft resolution submitted by Fiji and Papua New Guinea (A/AC.109/L.1834).

21. At the same meeting, _____ the representative of Papua New Guinea made a statement (A/AC.109/PV.1447), in the course of which he introduced, on behalf also of Fiji, draft resolution A/AC.109/L.1834.

22. At the same meeting, the Special Committee adopted draft resolution A/AC.109/L.1834 _____ without a vote (see para. 25).

23. On 24 July, the text of the resolution (A/AC.109/2034) was transmitted to the Permanent Representative of France for the attention of his Government.

Decision of the Special Committee

24. The text of the resolution (A/AC.109/2034) adopted by the Special Committee at its 1447th meeting, on 13 July 1995 (see paras. 23 and 31) appears under section C in the form of a recommendation of the Special Committee to the General Assembly.

4. Western Sahara

25. The Special Committee considered the question of Western Sahara at its 1442nd and 1449th meetings, on 10 and 14 July 1995.

26. During its consideration of the question, the Special Committee had before it a working paper prepared by the Secretariat containing information on developments concerning the Territory (A/AC.109/2029 and Add.1).

27. At its 1442nd meeting, on 10 July, the Special Committee granted a request for hearing to Mr. Boukhari Ahmed of the Frente Popular para la Liberación de Saguia el-Hamra y de Rió de Oro (Frente POLISARIO). Mr. Ahmed made a statement at the 1449th meeting, on 14 July (see A/AC.109/PV.1449).

28. At its 1449th meeting, on 14 July, statements were made by the representative of Cuba and the Secretary of the Committee (A/AC.109/PV.1449).

Decision of the Special Committee

29. At its 1449th meeting, on 14 July 1995, on the proposal of the Acting Chairman, the Special Committee decided, without objection, subject to any directives that the General Assembly might give in that connection at its fiftieth session and, in order to facilitate consideration of the question by the Special Political and Decolonization Committee (Fourth Committee), to transmit the relevant documentation to the Assembly.

C. RECOMMENDATION OF THE SPECIAL COMMITTEE

30. In accordance with decisions taken at its 1441st and 1442nd meetings, on 27 February and 10 July 1995, respectively, the Special Committee recommends to the General Assembly the adoption of the following draft resolution:

Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia, 1/

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Welcoming the strengthening of the process of review of the Matignon Accords 2/ through the increased frequency of coordination meetings,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. Urges all the parties involved, in the interest of all the people of New Caledonia and building on the positive outcome of the mid-term review of the Matignon Accords, to maintain their dialogue in a spirit of harmony;

2. Invites all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians according to the letter and the spirit of the Matignon Accords, which are based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

3. Welcomes measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon Accords;

4. Also welcomes the importance attached by the parties to the Matignon Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

5. Acknowledges the contribution of the Melanesian Cultural Centre to the protection of the indigenous culture of New Caledonia;

6. Notes the positive initiatives aimed at protecting New Caledonia's natural environment, notably the "Zoneco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

7. Acknowledges the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and provincial authorities to facilitate the further development of those links, including the development of closer relations with the member countries of the South Pacific Forum;

8. Welcomes, in particular, in this regard, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to member countries of the South Pacific Forum;

9. Requests the Special Committee to continue the examination of this question at its next session and to report thereon to the General Assembly at its fifty-first session.

Notes

1/ The present chapter.

2/ See A/AC.109/1000, paras. 9-14.